

Date Mailed June 15, 2001
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BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

Investigation of Objection of Madison Water Utility to  
Billings and Notices of Assessments for Commission  
Expenses

3280-DA-100

**NOTICE OF PROCEEDING  
AND  
ASSESSMENT OF COSTS**

**THIS IS A PROCEEDING** to consider the objection filed March 23, 2001, by the City of Madison Water Utility to direct assessments billed by the Commission under Wis. Stats. § 196.85(1). The \$2,936.37 assessments are for the Commission's litigation expenses in the case of *City of Madison, Dane County, as a Water Public Utility v. Public Service Commission of Wisconsin*, Case No. 00 CV 3095.

The city's objection is based on its contention that (1) a rate case is not an "investigation" within the meaning of Wis. Stats. § 196.85(1) and that (2) even if a rate case were an "investigation" within the meaning of the statute, such investigation terminated when the Commission issued the final order in docket 3280-WR-106 – Application of the City of Madison, Dane County, as a Water Public Utility, for Authority to Increase Water Rates. Subsequent to the issuance of that order, according to the city, no litigation expenses may be assessed, because the investigation had ended.

**NOTICE IS GIVEN** that the Commission considers it necessary in order to carry out its duties, to investigate all books, accounts, practices, and activities of the applicant. The expenses incurred or to be incurred by the Commission, which are reasonably attributable to such an investigation, will be assessed against and collected from the applicant in accordance with the provisions of Wis. Stat. § 196.85 and Wis. Admin. Code ch. PSC 5.

This is a Type III action under Wis. Admin. Code § PSC 4.10(3). Since no unusual circumstances have come to the attention of the Commission which indicates that significant environmental consequences are likely, neither an environmental impact statement under Wis. Stat. § 1.11, nor an environmental assessment is required.

This is a Class 1 proceeding as defined in Wis. Stat. § 227.01(3)(a).

Docket 3280-DA-100

The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this proceeding or who needs to obtain this document in a different format should contact the docket coordinator listed below.

Questions regarding this matter may be directed to docket coordinator Gordon Grant at (608) 267-9086.

Dated at Madison, Wisconsin, \_\_\_\_\_

By the Commission:

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Lynda L. Dorr  
Secretary to the Commission

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